

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT  
DISTRICT OF MASS.  
C.A. No. 04-11014 NMG

TOUCHPOINT SOLUTIONS, INC.,

Plaintiff,

vs.

EASTMAN KODAK COMPANY,

Defendant.

**DEFENDANT EASTMAN KODAK COMPANY'S  
ASSENTED-TO MOTION FOR LEAVE TO FILE A  
MEMORANDUM IN EXCESS OF THE TWENTY PAGE LIMITATION**

Pursuant to Local Rule 7.1(B)(4), Defendant Eastman Kodak Company ("Kodak"), hereby submits this assented-to motion requesting leave to exceed the page limitations in its Opposition to Plaintiff TouchPoint Solutions Inc.'s *Application for Preliminary Injunctive Relief*. Kodak respectfully requests that it be allowed to file a memorandum up to and including thirty-seven (37) pages. As grounds for this motion, Kodak states:

- (1) Plaintiff TouchPoint Solutions, Inc. ("Touchpoint") has assented to this request.
- (2) In filing its *Application For Preliminary Injunctive Relief*, TouchPoint filed a request to exceed the page limitations up to and including forty-five (45) pages. Kodak assented to this request for TouchPoint's extension of the page limitations.
- (3) TouchPoint's brief, filed with this Court on September 21, 2004, amounted to forty-one (41) pages.
- (4) In order that it may fully and adequately address the complex technological issues in this matter, as well as the lengthy arguments presented in TouchPoint's brief, it is necessary for Kodak to present a memorandum in excess of the twenty (20) page limit.

WHEREFORE, Kodak respectfully requests that this Court:

- (i) Allow this motion for an extension of the page limitations up to and including thirty-seven (37) pages.

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(ii) Grant such other or further relief as is just and appropriate.

EASTMAN KODAK COMPANY,

By its attorneys,

A handwritten signature in black ink, reading "Nicholas G. Papastavros". The signature is written in a cursive, flowing style.

Nicholas G. Papastavros (BBO # 635742)

NIXON PEABODY LLP

100 Summer Street

Boston, MA 02110

(617) 345-1000

Of counsel:  
Robert B. Calihan

DATED: September 29, 2004